

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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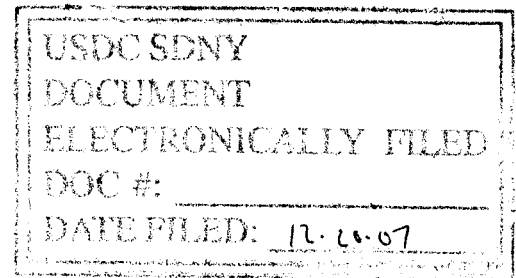
UNITED STATES OF AMERICA

-v.-

MARTIN MCKERNAN,

Defendant.

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ORDER OF FORFEITURE

07 Cr. 674 (WHP)

WHEREAS, on or about July 24, 2007, MARTIN MCKERNAN (the "defendant"), was charged in a two-count Information 07 Cr. 674 (WHP) (the "Information") with conspiring to defraud the United States by obstructing the lawful functions of the United States Treasury Department, and to file false Currency Transactions Reports, in violation of Title 18, United States Code, Section 317 (Count One); and filing false currency transaction reports, in violation of Title 18, United States Code, Section 2 and Title 31, United States Code, Sections 5324(a)(2) and (d)(2);

WHEREAS, the Information included a forfeiture allegation seeking, pursuant to 31 U.S.C. § 5317, all property, real and personal, involved in the offense or traceable to such property, including but not limited to, a sum of money equal to approximately \$84,725 in United States currency, representing the

property involved in the offenses charged in Counts One and Two of the Information;

WHEREAS, on or about July 20, 2007, the defendant Martin McKernan pled guilty to the Information, admitted to the forfeiture obligation as to Counts One and Two, and agreed to the imposition of a forfeiture money judgment in the amount of \$84,725 (the "Money Judgment"), to be paid at or before sentencing, in full satisfaction of the Money Judgment;

WHEREAS, on or about October 12, 2007, the defendant Martin McKernan delivered a check to the United States in the amount of \$84,725 in full satisfaction of his forfeiture obligation; and

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses charged in Counts One and Two of the Information, for which the defendant pled guilty, a Money Judgment in the amount of \$84,725 shall and hereby is entered against the defendant, pursuant to 31 U.S.C. § 5324.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, with the consent of the defendant, this Order of Forfeiture is final as to the defendant, MARTIN MCKERNAN, and is deemed part of the sentence of the defendant and shall be included in the judgment of conviction therewith.

3. Upon execution of this Order of Forfeiture, and pursuant to 21 U.S.C. § 853, the United States Treasury Department shall be authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

4. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.


5. All payments on the outstanding money judgment shall be made by Postal money order, bank or certified check, made payable, in this instance to the "United States Treasury Department," and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrews Plaza, New York, New York 10007, and shall indicate the defendant's name and case number.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

7. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney, Barbara A. Ward, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
12/18, 2007

SO ORDERED:


HONORABLE WILLIAM H. PAULEY III
UNITED STATES DISTRICT JUDGE